

HOLLANDER, J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE WORLD TRADE CENTER SITE
LITIGATION:

ALL PLAINTIFFS REPRESENTED BY THE
NAPOLI BERN FIRM INCLUDED HEREIN

Plaintiff(s),

-against-

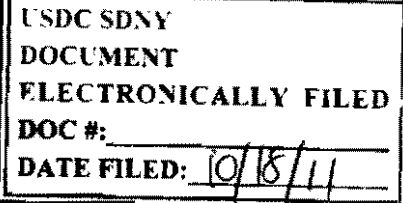
PHILIPS & JORDAN, INC.,

Defendant(s).

SUPPLEMENT TO
STIPULATION OF
VOLUNTARY DISMISSAL
WITH PREJUDICE AGAINST
PHILIPS AND JORDAN ONLY

21 MC 100 (AKH)

21 MC 103 (AKH)



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On May 6, 2011, this Court Ordered the voluntary dismissal of plaintiffs filing against Philips & Jordan, Inc., in the matter listed above, pursuant to fully executed Settlement Agreement by and between counsel for the parties, a copy of said Order, including the list of plaintiffs who opted into said settlement and were so Ordered to be voluntarily dismissed. In addition, on May 6, 2011, this Court Ordered the voluntary dismissal of derivative plaintiffs filing against Philips & Jordan, Inc., in the matter listed above, pursuant to fully executed Settlement Agreement by and between the parties

Subsequent to the execution of the above mentioned Orders, the plaintiffs identified on Exhibit "A" attached hereto, have elected to participate in the Fresh Kills Settlement and have agreed to voluntarily dismiss with prejudice their claims against Philips & Jordan, Inc.

It is hereby STIPULATED and AGREED by and between the parties, that pursuant to the Federal Rule of Civil Procedure, 41, that:

1. The plaintiffs identified on Exhibit "A" attached hereto, are dismissed with prejudice against Philips & Jordan, Inc., pursuant to the fully


executed Settlement Agreement by and between counsel for the parties.

Said Agreement was approved and so Ordered by this Court on November 15, 2010.


2. All claims by the plaintiffs identified on Exhibit "A" are arising out of or relating in any way to the World Trade Center-related rescue, recovery, and/or debris-removal operations and/or clean-up at any location and/or after September 11, 2001, are dismissed with prejudice; and
3. The dismissal is without costs to either party.

Dated: New York, New York
October 3, 2011

MCGIVNEY & KLUGER, P.C.


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WORBY GRONER
EDELMAN NAPOLI BERN, LLP


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SO ORDERED, this 17 Day of Oct, 2011,


ALVIN K. HELLERSTEIN
United States District Judge



Exhibit A

Robert Butler (07cv05113)
Ronald Gordon (06cv12254)
Johnny Orellana (06cv14935)
Wayne Rouiller (10cv6984)